

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America)

v.)

Guillermo Leon-Sandoval)

Case No. 18-977-M)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 14, 2018 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. 1326(a)

Re-entry of a removed alien

This criminal complaint is based on these facts:

See Attached Affidavit.

☐ Continued on the attached sheet.

 Complainant's signature

Andrew H. Webster, Deportation Office – ICE

Printed name and title

Sworn to before me and signed in my presence.

Date:

6/14/2018

City and state:

Phila, PA


 Judge's signature

Honorable Linda K. Caracappa, Chief U.S. Magistrate

Printed name and title

18-977-M

AFFIDAVIT

1. I, Andrew H. Webster, am a Deportation Officer at U.S. Immigration and Customs Enforcement ("ICE") within the U.S. Department of Homeland Security ("DHS"). I served as a Border Patrol Agent beginning in September 2007, and I have served as a Deportation Officer with ICE since November 12, 2016. As a Deportation Officer, I conduct investigations related to violations of the Immigration and Nationality Act, specifically foreign-born nationals who have been deported from the United States and subsequently re-enter the United States illegally. I am currently assigned to the ICE Enforcement and Removal Operations Philadelphia, Pennsylvania Field Office, and my duties include investigating violations of Title 8 of the United States Code, including violations of immigration offenses.

2. I have prepared this affidavit in support of a criminal complaint against GUILLERMO LEON-SANDOVAL ("LEON-SANDOVAL") because there is probable cause to believe LEON-SANDOVAL, an alien, re-entered the United States after removal, in violation of Title 8 U.S.C. § 1326(a).

3. On June 14, 2018, I received information that LEON-SANDOVAL had been arrested by the Philadelphia Police Department and charged with aggravated assault, strangulation, unlawful restraint, false imprisonment, simple assault, and recklessly endangering another person. Based on my training and experience, I know that any time a police department or other law enforcement agency runs the fingerprints of any alien who has previously been encountered by ICE or another immigration agency, ICE receives electronic notification of this fact and any match to the alien's known fingerprint

identification number. On June 14, 2018, I reviewed the electronic notification showing that the Philadelphia Police Department had recently run LEON-SANDOVAL's fingerprints, which suggested that LEON-SANDOVAL, with FBI# 20152AH8, had been encountered by the Philadelphia Police Department.

4. On June 14, 2018, I ran LEON-SANDOVAL's name and Pennsylvania State identification number through the City of Philadelphia's Preliminary Arraignment System database ("PARS") which, based on my training and experience, I know shows arrest reports, processing status, interview status, pending charges, custody status, and other information relating to arrested individuals. Based on this search, I discovered that LEON-SANDOVAL has been arrested for aggravated assault, strangulation, unlawful restraint, false imprisonment, simple assault, and recklessly endangering another person. LEON-SANDOVAL's custody status is listed as "in custody." I also obtained through PARS a copy of the Philadelphia Police Department arrest report showing that LEON-SANDOVAL was arrested on June 14, 2018, by the Philadelphia Police Department on the aforementioned charges. At the time of his arrest, LEON-SANDOVAL identified himself as "GUILLERMO LEON-SANDOVAL" and provided his date of birth as January 5, 1983. His photograph was taken when he was booked at the police station.

5. On June 14, 2018, I conducted a check in the National Crime Information Center ("NCIC") database for LEON-SANDOVAL's criminal history, as well as immigration history. Under the FBI number provided (20152AH8), I found that LEON-SANDOVAL had previous encounters with ICE and the U.S. Border Patrol. Further checks in the Enforcement Alien Removal Module ("EARM") database were conducted

for LEON-SANDOVAL's immigration history in the United States. I found that LEON-SANDOVAL had been arrested by the U.S. Border Patrol on September 7, 2014 for illegally entering the United States. LEON-SANDOVAL was ordered removed from the United States by a designated official pursuant to Section 235(b)(1)(A)(iii) of the Immigration and Nationality Act, as amended, on September 9, 2014. LEON-SANDOVAL was subsequently removed from the United States on September 9, 2014. On September 12, 2014, LEON-SANDOVAL was again arrested by U.S. Border Patrol agents for attempting to re-enter the United States illegally. LEON-SANDOVAL's removal order was reinstated and he was removed from the United States on October 12, 2014.

6. Based on my training and experience, I know that ICE maintains a file on all aliens encountered by ICE. This file, known as the Alien File ("A File"), contains documentation relating to the alien, including his/her photograph, warrants of deportation, fingerprints, documents reflecting criminal history, documents reflecting the country of citizenship, and other documents. Each alien is assigned an identification number, referred to as the "Alien Number." A Search of ICE databases revealed that GUILLERMO LEON-SANDOVAL has been assigned Alien Number 206-467-713.

7. On June 14, 2018, I reviewed documents from the A File pertaining to GUILLERMO LEON-SANDOVAL, with Alien Number 206-467-713. Based on a review of this file and DHS electronic records and databases, I have concluded that it does in fact pertain to GUILLERMO LEON-SANDOVAL. The following representations are based on my review of the aforementioned records and databases:

- a. LEON-SANDOVAL is a citizen and national of Mexico.
- b. LEON-SANDOVAL's date of birth is May 1, 1983 and this affidavit and the Complaint to which it is attached correctly reflect LEON-SANDOVAL's name.
- c. On September 9, 2014, LEON-SANDOVAL was served an Expedited Removal by U.S. Border Patrol pursuant to Section 235(b)(1)(A)(iii) of the Immigration and Nationality Act, as amended.
- d. On September 9, 2014, LEON-SANDOVAL was ordered removed by a designated official pursuant to Section 235(b)(1)(A)(iii) of the Immigration and Nationality Act, as amended.
- e. The United States, pursuant to a "Warrant of Deportation/Removal," removed LEON-SANDOVAL on or about September 9, 2014, through Douglas, Arizona, to Mexico.
- f. On September 12, 2014, LEON-SANDOVAL attempted to re-enter the United States without having obtained the advanced permission of the Attorney General of the United States, or his successor, the Secretary of Homeland Security, to reapply for admission.
- g. The United States, pursuant to a "Warrant of Deportation/Removal," removed LEON-SANDOVAL on or about October 12, 2014, through Calexico, California, to Mexico.
- h. A search of ICE databases revealed that LEON-SANDOVAL did not seek permission of the United States Attorney General, or his successor, the

Secretary of the Department of Homeland Security, to re-enter as required by 8 U.S.C. 1360(d).

8. Based on all of the foregoing, there is probable cause to conclude that GUILLERMO LEON-SANDOVAL illegally re-entered the United States after removal, in violation of Title 8, U.S.C. § 1326(a). I therefore respectfully ask that the Court issue a warrant ordering his arrest for such crime.



ANDREW H. WEBSTER
Deportation Officer
Immigration and Customs Enforcement

SUBSCRIBED TO AND SWORN TO BEFORE ME
THIS 14th DAY OF JUNE 2018.



HONORABLE LINDA K. CARACAPPA
Chief United States Magistrate Judge